

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ( ALLAHABAD BENCH ), ALLAHABAD .

D.A.NO.  
T.H.NO.

584

OF 1989

Date of decision : 11-5-1992

.....Shri. Nareshwar Upadhyay.....Petitioner

.....Shri. D. P. Singh.....Advocate for the Petitioner.

Versus

Union of India and Ors.....Respondents

Shri. Arun Srivastav.....Advocate for the Respondent (s).

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CORAM:-

The Hon'ble Mr. Justice U.C. Srivastava, V.C.

The Hon'ble Mr. A. B. Gorai, A.M.

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether to be circulated to all other Benches ?



Signature

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CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

Original Application No. 584 of 1989

Navdeshwar Upadhyay .. . . . . Applicant

Versus

Union of India & Ors. . . . . Respondents

Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Mr. A.B. Gorthi, Member(▲)

( By Hon. Mr. Justice U.C. Srivastava, V.C. )

The applicant was working as Mason Mistri under I.C.W(Special plus Construction) Fatehpur, Northern Railway Allahabad from 10.7.78 to 17.10.1980, for 720 days. Thereafter the applicant's engagement was discontinued on the ground of non sanction of work. The applicant being fully qualified and a diploma holder, he was engaged as casual Mason Mistri earlier.

2. The grievance of the applicant is that the Railway Board issued a Circular dated 25th of Feb. 1987 and dated 4th March 1987 directed that the casual labour both on projects and open line who have been discharged before 1.1.81 may also be given opportunity to be considered and placed on live Casual Live Register, so that their cases for reappointment or regularisation may be considered. But in the case of the applicant the same has not been done and his juniors have been absorbed and he has given oral assurance by the respondents that the applicant would be appointed according to his seniority in the casual live register  
contd.../

(X)

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He has prayed that the respondents be directed to absorb him in the regular vacancy and place him from the date when his juniors have been appointed and enter him in the casual live register.

3. The respondents in their Counter affidavit have pointed out that the applicant's name has already been entered in the casual live register at sl. no. 92 and his case shall be considered for further engagement and regularisation on turn in order of serial number entered in the Live Casual register. Although no juniors have been regularised, the applicant's name has been entered. The application has partly become infructuous and the respondents are directed to consider the case of the applicant *'Mason Mistry'* for absorption as and when his turn comes on the terms that no juniors would be given preference in the matter. The application stands disposed of finally.

Ls

J. M. Mistry

V.C.

Dated: 11th May, 1992

(Uv)